

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

Independent claim 83 has been extensively amended so as to distinguish over the cited and applied prior art references. Support for the claimed subject matter of independent claim 83 can be found, for example, in paragraph [0020] as well as elsewhere.

The examiner's attention is drawn to the final paragraph of claim 83. The object of the present invention is to maintain the rotational speed of the rotor at critical rotation speeds. Therefore, the rotation speed of the roller must be limited regardless of the wind speeds. Independent claim 83 has been extensively amended so as to set forth with specificity the function of the control means to limit the rotation speed of the rotor element to critical rotation speeds so as to allow the rotator element to be easily braked.

None of the cited prior art references cited or applied by the examiner teach, disclose, suggest or render obvious the subject matter now claimed in independent claim 83. The primary reference does not provide control means for limiting the rotational speed of the shaft. In this regard the examiner's attention is drawn to column 4 lines 2-23. This portion of the '010 document clearly demonstrates the doubling of shaft speed as a function of wind speed. This type of speed of rotation increase of the rotary element is not allowed for by the control means as claimed in independent claim 83.

The secondary and tertiary references cited by the examiner are likewise deficient in that neither of the references suggest subject matter introduced into amended independent claim 83.

In light of the foregoing, it is submitted that all of the claims as pending patentably define over the art of record and an early indication of same is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

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